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## Initiative Petition Information Sheet

Title of Petition: An Act Banning the Use of Certain Socio-Economic Factors for  
Insurance Underwriting and Rating of Motor Vehicle Liability Insurance

Petition Number: 11-18  
(to be filled in by Attorney General's Office staff)

### Proponents' Contact

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### Optional:

Will the proponents propose a summary by the Monday, 5 days after the petition-filing deadline?  
Yes ☒ No

Will the proponents submit a memo of law by the Friday 9 days after the petition-filing deadline?  
Yes No ☒

Please note that the above information will be made available to the public and particularly to possible opponents of certification. The Proponent and Proponents' Attorney (if any) will receive copies of any materials submitted by the public regarding certification.

AGO Staff Person Receiving Petition

PS  
(to be filled in by Attorney General's Office staff)

Date

8/3/2011  
(to be filled in by Attorney General's Office staff)

## **AN INITIATIVE PETITION FOR A LAW**

### **An Act Banning the Use of Certain Socio-Economic Factors for Insurance Underwriting and Rating of Motor Vehicle Liability Insurance**

*Be it enacted by the People, and by their authority:*

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after Section 4C, as appearing in the 2008 Official Edition, the following section:-

Section 4C½. No insurer engaged in writing motor vehicle liability insurance in the commonwealth shall refuse to issue or renew a motor vehicle liability policy or bond, or any other insurance based on the ownership or operation of a motor vehicle, based in whole or in part on credit information relating to an applicant or insured, including but not limited to a numerical credit-based insurance score, other credit rating, or education or occupation, or any other information or factors used as proxies for credit scores, education or occupation; and provided, further, that no insurer shall file rates, pursuant to chapter 175E, based in whole or in part on credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an applicant or insured, or the education or occupation of an applicant or insured or any other information or factors used as proxies for credit scores, education or occupation.

SECTION 2. Section 113B of said chapter 175, as so appearing in the 2008 Official Edition, is hereby amended by adding the following paragraph at the end thereof:- The commissioner shall not fix or establish any rates, premium charges, premium adjustments, or classifications of risks based in whole or in part on credit information relating to an applicant or insured, including but not limited to a numerical credit-based insurance score, other credit rating of an applicant or insured, or education or occupation or any other information or factors used as proxies for credit scores, education or occupation; and provided, further, that no insurer, in connection with underwriting motor vehicle liability insurance or bonds or any other insurance based on the ownership or operation of a motor vehicle, shall refuse to issue or renew said insurance or bond based in whole or in part upon credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an applicant or insured, or education or occupation, or any other information or factors used as proxies for credit scores, education or occupation.

SECTION 3. Subsection (a) of section 5 of chapter 175A of the General Laws, as so appearing in the 2008 Official Edition, is hereby amended by striking out subdivision 4, and inserting in place thereof the following subdivision:-

4. Rates shall not be excessive, inadequate or unfairly discriminatory and shall not be based in whole or in part on credit information relating to an applicant or insured, including but not limited to a numerical credit-based insurance score, other credit rating of an applicant or insured, or education or occupation or any other information or factors used as proxies for credit scores, education or occupation.

SECTION 4. Section 4 of chapter 175E of the General Laws, as so appearing in the 2008 Official Edition, inserting after the word "discriminatory", in line 5, the following words:- and shall not be based in whole or in part on any credit information relating to an applicant or insured, including but not limited to a numerical credit-based insurance score, other credit rating of an applicant or insured, or education or occupation, or any other information or factors used as proxies for credit scores, education or occupation; and provided, further, that no insurer, in connection with underwriting motor vehicle liability insurance or bonds or any other insurance based on the ownership or operation of a motor vehicle, shall refuse to issue or renew said insurance or bond based in whole or in part upon credit information, including but not limited to a numerical credit-based insurance score, other

credit rating of an insured or applicant, or education or occupation or any other information or factors used as proxies for credit scores, education or occupation.

SECTION 5. Section 3 of chapter 176D of the General Laws, as so appearing in the 2008 Official Edition, is hereby amended by inserting after the word "sections", in line 170, the following words:- four C½,

SECTION 6. Section 51 of chapter 93 of the General Laws, as so appearing in the 2008 Official Edition, is hereby amended by deleting subsection (a) (3) (iii).

SECTION 7. This law shall take effect on January 1, 2013.

We, the undersigned qualified voters of the Commonwealth, state that we have personally read the text of this proposed Act Banning the Use of Certain Socio-Economic Factors for Insurance Underwriting and Rating of Motor Vehicle Liability Insurance, fully subscribe to its contents, and freely and voluntarily agree to be one of its original signers as required by Amendment Article 48 of the Constitution of the Commonwealth of Massachusetts.

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